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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,242	08/01/2001	Andrew Hodgkinson	BAI825390/01485	4038
24118 7590 02/12/2010 HEAD, JOHNSON & KACHIGIAN 228 W 17TH PLACE TULSA, OK 74119				
EXAMINER				
STORK, KYLE R				
ART UNIT		PAPER NUMBER		
2178				
MAIL DATE		DELIVERY MODE		
02/12/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

09/920,242

**Applicant(s)**

HODGKINSON, ANDREW

**Examiner**

KYLE R. STORK

**Art Unit**

2178

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5, 7, 8, 16-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 and 20 is/are allowed.
- 6) ☒ Claim(s) 5, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/C.3)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### **DETAILED ACTION**

1. This final office action is in response to the amendment filed 9 November 2009.
2. Claims 5, 7-8, 16-18, and 20 are pending. Claims 16-18 and 20 are independent claims.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 16-17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Cordell et al. (US 5845084, patented 1 December 1998, hereafter Cordell), and further in view of Snyder (US 6643641, filed 27 April 2000).

As per dependent claim 5, Cordell discloses the limitations similar to those in claim 17, and the same rejection is incorporated herein. Cordell fails to specifically disclose wherein when an event occurs in the reception of data that would conventionally cause an immediate reformat of the web page the facility notes the highest y-coordinate point or level in the displayed page that would be affected by the reformat and commences the time interval. However, Cordell 084 mentions a similar process (Cordell Col 13 Lines 1-58). It would have been

obvious to one of ordinary skill in the art to apply Cordell 084 to Cordell, providing Cordell the benefit of determining the highest level of the displayed page affected to ensure the correct format of the page.

As per independent claim 16, Cordell discloses an internet web browsing method, the method comprising the steps of:

Identifying an obtaining data from a web page in response to a user instruction (Figure 2, item 36)

Receiving a first portion of data (Figure 4A, item 70)

Processing the received portion of data to generate and display the web page in an initial display format (Figure 4A, item 70)

Following selection of the webpage and the data is being received by a browser:

Displaying the reformatted data

Although Cordell discloses preventing the display of reformatted data, Cordell fails to disclose storing data for display prior to displaying any of the data until the reformatting data for display of the selected web page by the browser is prevented a predetermined amount of data is received since the previous reformat of the web page, the predetermined amount being specified prior to the step of obtaining data for that web page.

However, Snyder discloses the reformatting data for display of the selected web page by the browser is prevented a predetermined amount of data

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is received since the previous reformat of the web page, the predetermined amount being specified prior to the step of obtaining data for that web page (column 10, lines 16-38: Here, the crawler obtains a web page, extracts information, and generates a reduced-size compressed image file prior to presenting the reduced-sized compressed image file to a user via a display. This generation of the reduced-size compressed image and corresponding extraction of information is pre-specified, and prevents the display of data until the generation is complete). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Snyder with Cordell, since it would have allowed a user to receive the prefetched webpage data, thereby allowing for more rapid display of web page data.

As per independent claim 17, Cordell discloses an internet web browsing method, the method comprising the steps of:

Identifying an obtaining data from a web page in response to a user instruction (Figure 2, item 36)

Processing the received data by a browser to generate and display the web page on a display screen connected thereto (column 1, line 66- column 2, line 17; Figure 4A, item 70: Here, a browser waits until all data is retrieved to generate and display the web page)

Displaying at least part of the web page corresponding to a first portion of data (Figure 5A)

Preventing the browser from reformatting the display of the web page while the browser receives data (Figure 4A, items 72-76; column 1, line 66-column 2, line 17)

Reformatting of the display of the selected web page by the browser (Figure 4A, items 72-76)

Although Cordell discloses preventing the display of reformatted data, Cordell fails to disclose storing data for display prior to either a predetermined amount of data has been received by the browser or after a predetermined time has elapsed since a previous reformat of the web page if the predetermined amount of data is not received within the predetermined time, and the predetermined amount being specified prior to the step of obtaining data for that web page.

However, Snyder discloses storing data for display prior to either a predetermined amount of data has been received by the browser or after a predetermined time has elapsed since a previous reformat of the web page if the predetermined amount of data is not received within the predetermined time, and the predetermined amount being specified prior to the step of obtaining data for that web page (column 10, lines 16-38: Here, the crawler obtains a web page, extracts information, and generates a reduced-size compressed image file prior to presenting the reduced-sized compressed image file to a user via a display. This generation of the reduced-size compressed image and corresponding extraction of information is pre-specified, and prevents the display of data until

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the generation is complete). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Snyder with Cordell, since it would have allowed a user to receive the prefetched webpage data, thereby allowing for more rapid display of web page data.

### ***Allowable Subject Matter***

5. Claims 18 and 20 are allowed.
6. Claims 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

7. Applicant's arguments filed 9 November 2009, with respect to claims 16-17 have been fully considered but they are not persuasive.

With respect to claims 16-17, the applicant argues that the prior art fails to disclose prevention of display until a predetermined amount of data has been received (pages 6-7). The examiner respectfully disagrees. Upon search, an image snapshot of a page representation is generated (Figure 3, item 78). This snapshot is merged with a search report, and the search report page is only displayed once the snapshots are integrated (column 10, lines 17-38). For this reason, this argument is not persuasive.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYLE R. STORK whose telephone number is (571)272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kyle R Stork/  
Primary Examiner, Art Unit 2178